# INTHE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KENDALLHUDSON Civil No 3:15-CV-12.82 Plaintiff (TUDGE MARIANT)  $\bigvee$ CARBERRY MOELLER FILED COILLINS SCRANTON KILLEEN net 1 9 2015 REEDER KOT WILLAM HARRY DIGBY Kuzar

## PROPOSED AMENDED COMPLAINT

### JUAISOICTION IN VENUE

CLEAVER

- 1. This is a civil action authorized by 42 U.S.C. Section 1983 to redress the defrivation under Color of state law of rights secured by Constitution of The United States. The court has surisdition under 28 U.S.C. Section 1331 and 1343 (a) (3). Plaintiff Hudson seeks declaratory relief pursuant to 28 U.S.C. Section 2201 and 2202. Plaintiff Hudson Claims for insunctive relief are authorized by 28 U.S.C. Section 2283 & 2284 and Rule 65 of Federal Rules of Civil Procedure.
- 2. The Middle Vistrict of Pennsylvania is an appropriate Venue under 28 U.S.C. Section 1391 Cbs C2s because it is where the events giving rise to Claim occurred.

### PLAINTIFFS

-3. Plaintiff Kendall Hudson, is and at all times metioned herein a Prisoner of the State of Pennsylvania in the Custody of the Pennsylvania Department of Corrections. He is currently confined in SCI CAMPHILL Prison in Camphill, Pennsylvania.

### DEFENDANTS

- 4-4. Defendant Laurel Harry is the superintendent of Camphill Prison.

  She is legally responsible for the operation of Camphill Prison and

  For the welfare of all immates in that Prison.
- 5-5. Defendant Keith Carberry is a correctional officer of Pennsylvania Delartment of corrections who at all times mentioned in this complaint held rank of Intelligence Captain and is now Masor of Guards.
- 6-6. Defendant Moeller is a Correctional officer of lennsylvania Delartment of corrections who at all times mentioned in this Complaint, is assigned to the Security officer at Camptill Prison.
- 7-7. Defendant Collins is a Correctional officer of cennsylvania
  Delartment of Corrections who at all times mentioned in this
  Complaint, is assigned to the security officer at Camptill Prison.
- 8-8. Defendant Reeder is a correctional officer of Pennsylvania Department of corrections who at all times mentioned in this complaint, held rank of correctional officer and was assigned to camp Hill Prison.
- 7-9. Defendant Killern is a correctional officer of the Pennsylvania Delartment of corrections who at all times mentioned in this Complaint, held rank of correctional officer and was assigned to camp Hill Prison.
- 10-10. Defendant Anthony Kot is an employee of the Pennsylvania Department of Corrections who , at all times metioned in this Complaint, holds Position of unit manager and serves as a hearing examiner at Campbill Prison.
- 11-11. Defendant Tracer Wilson is an employed of the Pennsylvania Department of corrections who, at all times mentioned in this complaint, she held Position of hearing examiner and is now assigned an office at Department of corrections central office, 1920 Technology Parkway Mechanic burg.
- 12. Defendant Jen Digby is an employee of the Pennsylvania Department of Corrections who, at all times mentioned in this complaint, holds Position of unit manager at camp Hill Prison.

- OB. Defendant Kuzar is a correction officer of Pennsylvania Delartment of Corrections who at all times mentioned in this Complaint, hold cank livetenant and is assigned to the RHU at camp Hill Prison.
- 19. Defendant Cleaver is a correctional officer of Pennsylvania Department of corrections who at all times mentioned in this Complaint, hold cank of sergeant and is assigned to the RHUAT Camp hill Prison.

### STATEMENT OF CLAIMS

- 12-15. On September 24, 2014 defendant Capt, Carberry authorized a investigative cell search at Camptill Prison, on N-Block Cell B-55. This Cell housed Plaintiff Kendall Hudson and Cell mate at the time Kendall Jones.
- 3-16. Plaintiff Hudson and Jones was Placed in the Attu 12:00 AM on September 24,2014. They were placed under A/C status pending investigation. The search took place around 7:30 am, plaintiff Hudson and cell mate Jones at the time was not present during this search.
- 4-17. Defendant Moeller and defendant Collins destroyed everything in the cell leaving the cell in total dissarrax. Plaintiff Hudson was made aware of this by the RHU eroperty officer and N-Block unit Manager. Also brought to Plaintiff Hudson Knowledge by other inmates that witnessed, the Security office had to take Pictures of the Cell after the block 59t on Moming shift Seen how the cell was left by the defendants Moeller and Coillins.
- -18. Defendant Moeller and defendant Collins miss placed important legal documents. PCRA Brief and supreme court brief. Plaintiff Hudson needed the miss placed documents to file his federal habeas Corrus Petition. Without them Plaintiff Hudson will not be able to file, and this will leave him time barred. Plaintiff Hudson filed a grievance on this issue, see grievance attached as Exhibit A.
- -19. During the Search defendant Moeller and defendant Collins didn't find nothing. So they made up a fabricated story about 3 lollifors that tested positive for amphetamines. They used a Narcotics Identification Kit.

- •20. Moeller and Collins tested 3 lollipops using a NIK-Kit also know as a Narcotics Identification Kit, the lollipops were never sent for Profesional labanlivsis. The field test used test the lollipops for an ehetamines.
- 721. Plaintiff Hudson was Served a DC-141 also know as misconduct report on September 25. 2014 for, A-22 possession or use of dangerous or controlled Substance, B36-possesion of contraband, B45 failure to report the presence of contraband. See write up dc-41 attached as Exhibit B.
- -22. On September 30,2014 Plaintiff Hudson had his hearing. The hearing examiner Defendant Anthony Kot went with the Co's Version and found Plaintiff Hudson guilty of all charges. Defendant Kot knew the lollipops wasn't and didn't belong to plaintiff Hudson because of the fact Kendall Jones claimed ownership at the hearing. Defendant Kot Sentenced Plaintiff Hudson to a harsh and aggragated sentence of 270 days in the Attu. Plaintiff Hudson went through the whole appeal procedures and was denied at every Step.
- 1-23. While housed in the RHU Plaintiff Hudson was harrassed, assaulted descrived food and excerise and force to live in harsh and extreme living conditions.
- o-24. On September 24, 2014 Plaintiff Hudson was Placed in an unsafe living enviorment, were he was forced to live in a cell housed at camp Hill prison O-Block Al-7 Cell. The Cell had mold build up, rust and decay. The Plambing was messed up, the tolite leaked and flooded from the bottom, the sink had black stuff coming from the drains the smell was unbearable and made Plaintiff Hudson sick a couple of times. Plaintiff Hudson filed a grievance on this issue that grievance is attached as Exhibit C.
- -25. On December 3, 2014 approximately 9:30 to 10:00 Plaintiff Hudson was harrassed and threatend with bodily harm. Incident took place at Camp Hill Prison O-block law libery. Defendant Aceder came to cuff Plaintiff Hudson and escort him from the Atu law libery Defendant Made a rasist remark saying niggas like you die in Jail! Lt Davey

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intervened shortly and threatend to stome plaintiff Hudson out when they get Pass cameras.

- 22-26. Shortly afterwards on the sameday Plaintiff Hudson was denied lunch by defendant Killeen around 10:00-10:35. After the RHU law libary incident the harasment escalated. December 5, 2014 Plaintiff Hudson recived a break feast tray with chewing to bbacco spit, that tray was passed to Plaintiff Hudson by defendant Reeder. The same day Plaintiff Hudson recived a lunch tray that was also tampered with. Everthing was smashed up. That tray was givin to Plaintiff Hudson by Lt. Kuzar. Plaintiff Hudson suffered extreme weight loss and problems with health from getting deprived trays numerous amounts of times. Plaintiff Hudson filed a grievance also attached as Exhibit D. Plaintiff Hudson also seeked medical attention and was made aware to the fact he had loss 30 pounds from the time he came to the Attu til now.
- 23-27. Plaintiff Hudson was denied vard for 6 month straight, from retaliation from eass grievances. Plaintiff Hudson was denied tard, Plaintiff Hudson haunt been in the tard, deined excerse for 6 months straight, Steming from December 2014 to May 2015. Being degrived of exerse for long periods of time violates constitutional rights. Plaintiff Hudson filed a grievance on this issue, see grievance attached as Exhibit E.
- 4-18. January 20th a proxit mately 7:40 defendant Killeen did a CCII Search on Cell B-54 located on D-Block/RHU at Camp Hill Prison. Plaintiff Hudson was housed in the Cell at the time. Defendant Killeen was suggest to perform the Cell search and escort plaintiff Hudson to the Yard. Instead he destroyed the Cell and threw a lot of things on the tier. Amoung those things were some important legal documents and magazines that was paid for Aftewards defendant Killeen locked Plaintiff Hudson back in the Cell deining him Yard. Plaintiff Hudson ask defendant Killeen "Why you keep doing this to me!" He responed "writeit and see what happens. Plaintiff Hudson filed a griveance on this issue, see griveance attached as Exhibit F.

- 25-29. On February 14, 2015 defendant Killeen stood firm on his word and retailiated against Plaintiff Hudson for filing grievance marked Exhibit F. On February 14, 2015 defendant Killeen handed Plaintiff a empty styrofoan tray for breakfeast. Plaintiff Hudson flooded his cell to get the attention of a higher ranking CO. Captin. Eichenberg responed. Plaintiff Hudson made Captin. Eichenberg aware of what was going on. Captin Eichenberg Stated. "I would make sure every body eat for lunch. In fired of my officers thinking they can do what ever they want do."
- 26-30. Shortly afterwards defendant Killern along with 59t. Cleaver CO. Zie-Sler and Co. Crokus escorted Plaintiff Hudson to the strip search area. At all time the camera surpose to be on during as strip search in this area. Plaintiff Hudson Knew something wasn't right when bubble officer at the time. Co. Brant asked defendant Killeen do you want me to turn on the cameras! Defendant Killeen responed "no leave them off Im gonna teach this nigga a lesson!"
- 27-31. Defendant Killeen Performed the strip search in this strip search area. Defendant Killeen Verberally and Physical abuse Plaintiff Hudson. After he Performed the Strip Search he choked and smalked Plaintiff Hudson Saxin "You file another grievance Im Sonna make sure you never get out of here."
- 28-32. Plaintiff Hudson was escorted to Cell Al-02 of the RHUthen Shortly afterwards to Cell Al-27. Plaintiff Hudson was denied his food for the whole day and had his water turned off for 7 days. Plaintiff didnt recive none of his Property for 3 evecks while housed in this cell. This unconstitutional Punishment Kept Plaintiff Hudson from filing grievance, litigating, and corresponding with the outside world. See Misconduct report attached as Exhibit G.
- 19-33. Shortly after the strip Search and assualt defendant Killeen Performed a Cell Search on B-54. The cell which housed Plaintiff Hudson before the Flood accured. After the Search Defendant Killeen

fabricated a dC 141 saying he found K2 amoungst mail wrap in tissue in Plaintiff Hudson property. The same security staff, defendant Moeller tested the brown leafy substance and said it tested Positive for K2. This was the same officer that fabricated the Iolli PoPs, testing Positive for am Phetamines. See mis conduct report attached as Exhibit H.

- 30-34. Plaintiff Seen the hearing examiner defendant Tracey Williams on on February 20, 2015. Plaintiff Hudson Plead not guilty to Possession or use of a dangerous or controlled substance, and Possession of Contraband. Defendant Tracey Williams goes with the Co's Version and found Plaintiff Hudson Guilty of all Charges. Defendant Tracey Williams Sentence Plaintiff Hudson to 90 days adding on to the 270 days.
- 31-35. During the hearing Plaintiff Hudson ask to see the test results, Defendant Tracer Willams showed black and white Photo graphs of the brown leafy subtance and a Photograph of something that looked like a test tube. Base on a test that have to do with color su Posely, defendant Tracer Willams find guilt through black and white Photographs and fabericated test results. Again no real lab results was produce at this hearing. Plaintiff Hudson appealed all the way to the Chief hearing examiner and was denied at ever step.

### EXHAUSTION OF LEGAL REMEDIES

32-36. Plaintiff Hudson used the Prisoner grievance Procedure available at Camptill State Prison to try and solve the problem. On october 12,2014 Plaintiff Hudson presented the facts relating to the harrassment, missing legal documents and destroyed property. On actober 29,2014 Plaintiff Hudson was sent a response saxing that the grievance had been denied. Hudson appealed the denial to the suffrintendent. He recived a response November 25,2014 Saxing the appeal has been denied. Brievance and appeal are attached as Exhibit A.

- 33-37. On October 26 2014, Plaintiff Hudson Presented the facts relating to the extreme and harsh living conditions. On Movember 19 2014 Plaintiff Hudson was sent a response saring that the grievance had been denied. On Movember 21, 2014 Plaintiff Hudson appealed the denial of the grievance to the superintendent. He received no response. Hudson grievance and appeal are attached as Exhibit C.
- 34-38. On DEC 21, 2014 Plaintiff Hudson Presented the fact relating to the harrassment, dening and tampering with meals. On January 17, 2015 Hudson was sent a response sating that the grievance had been denied. On January 18th 2015 Plaintiff Hudson appealed the denial of the grievance to the superintendent. He received no response. Hudson grievance and appeals are attached as Exhibit O.
- #39. On Dec 21,2014 Plaintiff Hudson Presented the fact relating to the denial of exercise for long periods of time and the stress and health issues it caused him. On January 102015 Hudson was sent a response sax that the grievance had been denied. He appealed to the superintendent.

  Sax that the grievance had been denied. He appealed to the superintendent.

  Acres of March 242015 the appealed from the superintendent was denied. Hudson grievance and appeals are attached as Exhibit E.
- i40. On January 202015 Plaintiff Hudson Presented the facts relating to the harrassment and denial of meals. On February 28,2015 Hudson was sent a response sating that the grievance had been denied. He appealed to the superintendent, on April 202015 the appeal from the superintendent was denied. Hudson grievance and appeal are attached as Exhibit F.
- , 41. Plaintiff Hudson used the Prisoner Appeal procedure available at Camp Hill to try and solve the Problem relating to the Misconduct hearing, and was denied. Hudson appeals are attached as Exhibit, B.G.

### LEGAL CLAIMS

- 37-42. Plaintiff reallese and incorporate by reference Paragraphs 1-41.
- 38-43. Defendant Carberry, moetler, Coillins and Killen violated Plaintiff Hudson Eighth Admendment (ight and Fourth Admendment right by conducting the harrassing cell searches that left the cell each time in total dissaray and important legal documents missing. See 17, 18, 20, 33 and EXABITA.
- 39-44. Defendant Killern Violated Plaintiff Hudson Eight Admend Ment cight by use of excessive force, for Choking and smack ing Plaintiff while cuffed in the strip cage area.
- 40-45. Defendants Moeller, Collins, Killeen, Williams, Kot, and Carberry Violated Plaintiff Hudson Fourteenth Admendment right Under the Due Process Clause. Defendants fabericated false drug test and gave Plain tiff Hudson a harsh and extreme sentence of 360 days total. That Subsected Plaintiff Hudson to an atxpital and significant hardship in relation to the ordinary incidents of Prison life. See Statment of claims 19, 21, 22, 33, 34,35, Exhibit B, H.
- 41-46. Plaintiff Hudson Eighth Admendment right was violated by defendants heeder and Killeen, when they denied him meals as retaliation and punishment. This violates elaintiff's 8th Admend ment under cruel and unusual punishment and DOC POLICY. See statement of claims 23, 24, and Exhibit E.
- 42-47. Plaintiff Hudson was denied excercise for six months and Counting as retaliation and punishment. This violate plaintiffs Eighth Admendment under covel and unusual punishment and Doc Policy. See statement of claims 23, 24, and Exhibit E.
- 43-48. Plaintiff Hudson Eighth Admendment right was violated under cruel and unusual Punishment. Plaintiff Hudson was forced to live in extreme and harsh living conditions while house on 0-block. The totality of the conditions adds up to create an averall effect that is unconstitutional. See statement of claims and Exhibits.
- 4449. The Plaintiff has no Plain, adequate or complete remedy at law to redress the wrongs described herein. Plaintiff has

been and will continue to be irreparably injured by the conduct of the defendants unless this court grants the declaratory and injunctive relief which Plaintiff seeks.

- 50. Defendent Digby act with a deliberate indifferente, in Violation of Plaintiff Hudson Eigth Admendment for Failure to address the ongoing harrassments, assualts, Corporal Punish Ment, and retaliation Plaintiff Hudson was subsected to while housed in the RHU. She also act with a deliberate indifference because of the fact she knew the inhumane conditions of the unit Plaintiff was housed on and failed to act. See statement of claims and Exhibit C.
- •51. Defendent Kuzar act with a deliberate indifference in Violation of Plaintiff Hudson Eight Admendments rights because he is in charge of all the Co's on the housing unit and failed to address the ongoing Problems Plaintiff is subjected too. He acted with malice intent to cause harm by deining all the greivances and failing to investigate them Properly. Thus Putting and exposing Plaintiff Hudson to (isk of serious harm. See Exhibit D.E.F. and statement of Claims.
- •52. Defendant Cleaver act with a deliberate indifference in Violation of Plaintiff Eighth Admendment rights by acting with a malice and sadistic intent to cause serious hours. He conspicifed in the fabericated misconduct by directing defendant Killern to get the Substance tested, the whole time knowing the substance was tob bacco. He also wittnessed the assualt at the strip cage and failed to act. See statement of claims 30, 31, and misconduct report attached as Exhibit H.
  - •53. Defendants Willams and Kot Violated due Process rights under the Fourteenth Admendment because they were not impartial decision makers at the hearing, they went with the Co's Version to establish facts, failed to get and produce Proffesional lab anilysis, and the evidence and test results were illegal and against doc Policy. They also acted with a

Malicous intent to cause harm by sentencing plaintiff Hudson to are extreme and harsh sentence of 360 days.

### PAAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that this court enter Judgment granting plaintiff:

- 45-54. A declartion that the acts and omission described herein Violated Plaintiffs rights under the constitution and law of the United States.
  - 55. An induction ordering defendants Harry, Carberry to:
    - I Release the Plaintiff from Punitive segregation and Place him in general Population, with restoration of all rights and privileges
    - DEXPURSE the disciplinary convictions described in this complaint from Plaintiff Hudson institutional record.
  - . 56. Compensatory dama ses in the following amount:
    - "\$5,000 Jointly and severally against defendants. Williams and Kot for the Punishment, including deprivation of liberty and amenity, and emotional injury resulting from their denial of due process in connection with the plaintiff's disciplinary proceeding.
    - \$1,000 sointly and severally against defendants. Moeller, collins Killeln, Clearer, for the Punishment, including degrivation of liberty and amenity, and emotional insury resulting from their denial of due process in connection with the plaintiffs disciplinary proceeding.
    - 3) \$ 5,000 Jointly and severally against Harry, Digby, Kuzar, for the deliberate inddiffrence that subjected Plaintiff to a serious risk of harm and injury.
    - 4 \$30000 for each day held in segregation on trump up charges.
    - 5)\$ 100.00 for each day held in segregation under bad and unconsitutional conditions.
    - 6)\$ 5,000 Jointly and severally against relder, Hard, Digby, Kuzar, Kot, Willams, Carberry, Moeller, Killeen, Clearer, Collins for the unconsitutional Punishment and retaliation while housed in the RHU.

- •57. Punitive damages in the following amount:

  1) \$10,000 against defendants Harry, Carberry, Digby, Kuzar,

  Cleaver, Collins for the unconsitutional punishment and
  retaliations.
- 50 58. Plaintiff also seek a sury trial on all issues triable by sury.
- 51-59. Plaintiff also seck recovery of their cost in this suit and
- 52-60. Any additional relief this court deems Just, proper and equitable.

DATE: 10-11-15
RESPECTEMIN SUDMITTED

Kendall Hudson
1422808
P.O.BOX200
Camp Hill PAIRON-0200

## VERIFICATION

I have read the foregoing complaint and hereby verify that the matters alleged therein are true, excepts as to matters alleged on information and belief, and, as to those, I believe them to be true. I certify under penalty of persury that the foregoing is true and correct.

Executedat CampHill, Pennsylvania on september 19, 2015

Kendall Hudson

# Exhibit A

Case 3:15-cv-01282-RDM-CA Document 22 Filed 10/19/15 Page 14 of 44 DC-804 COMMONWEALTH OF PENNSYLVANIA FOR OFFICIAL USE Part 1 **DEPARTMENT OF CORRECTIONS** 531459 Rev 9/2010 P.O. BOX 598 **GRIEVANCE NUMBER** CAMP HILL, PA 17001-0598 OFFICIAL INMATE GRIEVANCE esulvair 10.1 TO: FACILITY GRIEVANCE COORDINATOR FACILITY: DATE CAMO HILL 10/12 FROM: (INMATE NAME & NUMBER) SIGNATURE OF INMATE: Kendall Hudson Hz2808 Rendral Hudson WORK ASSIGNMENT HOUSING ASSIGNMENT: DIBIOX INSTRUCTIONS: 1. Refer to the DC-ADM 804 for procedures on the inmate grievance system. 2. State your grievance in Block A in a brief and understandable manner. 3. List in Block B any action you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted. A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages (one DC-804 form and one one-sided 8½" x 11" page). State all relief that you are seeking. I came to the Athur 124/14 I cecived my property 10/10/14. Apon rectiving my disperty Iv notice cama se ero perty and missing purperty The and manger and the meroing shift of N-Block s raware and also re forted the incident about the cell being torn up. The officers who searched the cert destroyed Property. I have no elationed they all are missing TV. TYPEWRITTER RADIO KEYROARN, MY FAN LIS Broken and pary intermental day brokent All and loting the mi was all are inchance took a hurrar went to the to send de aree. It what a MY Eth Amend mont R. 1919: Especially My Law work Thomas my PCRA Brief and my su prome Brief. I need these to very Important documents to countine my legal process I cant file my feder habeas with out it. That will pave me time beared and without a fair fully with the sourts. By civil cight has been violated to the mount degree. I would like to be Re mourst for all my bain in outton in Indianapterno missing Proporty \$150,000 should take cure my so and suffering and dumage and missing property. B. List actions taken and staff you have contacted, before submitting this grievance. Just that I'v not there was in come his or only my hadry of the same statement below as the nothing Here can do.

Your grievance/has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

**Date** 

WHITE Facility Grievance Coordinator Copy CANARY File Copy GOLDEN ROD Inmate Copy

**PINK Action Return Copy** 

DC-ADM 804, Inmate Grievance System Procedures Manual Section 1 – Grievances & Initial Review

Issued: 12/1/2010 Effective: 12/8/2010

### **INITIAL REVIEW RESPONSE**

SCI Camp Hill 2500 Lisburn Road Camp Hill PA 17001

This serves to acknowledge receipt of your grievance to the assigned Grievance Officer. The response is as follows

Inmate Name	HUDSON, Kendall	finmate Number:
Facility:	SCI Camp Hill	HOPELOS DE SOCIETA DE LA CONTRACTOR DE L
		Unit Location D-A-1007-01
Grievance #;	531439	Grievance Date: 10/12/2014
	22.55	
Decision:	□Uphold Inmate ☑Grievance Denied	
	□Uphold in part/Deni	ied in part
It is the decision	on of this grievance officer to	uphold, deny or uphold in part/deny in part the inmate's initial
the issue(s) ra	ised in the grievance and, rel	f rationale, summarize the conclusion, any action taken to resolve
Response:		Fivolous
mivernomed and	ere held in the Security Office ha stored in the same condition tha tact the RHU property Officer.	ive been returned to your property in the RHU. All of your property was at it was found in your cell. If you need specific pieces of your property for
	•	
Signature:	KC	
Title:	Intelligence Captain	
Date:	10/29/2014	

cc: Facility Grievance Coordinator

DC-15 File

Attachment 1-D

## Facility Manager's Appeal Response SCI Camp Hill

2500 Lisburn Road Camp Hill, PA 17001

This serves to acknowledge receipt of your grievance appeal to the Facility Manager for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy", the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to me and any other documents submitted.

innate Name	Kendall Hudson		g in	ate Number	# HZ-2808	· · · · · · · · · · · · · · · · · · ·
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provide a copy of	evance Coordinator p f your property sheet. because there is no p	Without that d	ocumentation, s	taff cannot inv	estigate vour cl	aims of
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Title:	Facility Manager		<u> </u>		· ·	
Date:	11.25.14	<del>}</del>	······································			<del></del>
c: DC-15		<u></u>				

c: DC-15 File

DC-ADM 804, Inmate Grievance System Procedures Manual Section 2 – Appeals

Issued: 3/31/2014 Effective: 5/1/2014

Form DC-135A	0
	Commonwealth of Pennsylvania Department of Corrections
INMATE'S REQUEST TO STAFF MEMBER	Department of Corrections
	INSTRUCTIONS
	Complete items number 1-8. If you follow instructions in
	preparing your request, it can be responded to more promptly and intelligently.
1. To: (Name and Title of Officer)	2. Date: /
Kathleen Zwierzyna Deputty Superinted	# 11/9/14
3. By: (Print Inmate Name and Number)	4. Counselor's Name
Kendall Hudson HZ2808	ms. Koffings
Denysel Lydin Hz 2808	5. Unit Manager's Name
Inmate Signature	ms, Diaby
6. Work Assignment	7. Housing Assignment
	D-RIOCK A-D
8. Subject: State your request completely but briefly. Gi	
I am writting to inform you of your	c security staff. They had me under
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# Exhibit B

DC-141	Part 2B	COMMOI	WEALTH OF	PENNSYLVANIA		<del>-</del>
Rev. 6-84	Y HEARING REPORT		RTMENT OF C		:	
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INMATE PLEA	☐ Guilty ☐ Not Guilty	□ No Plea □ Other		Verdict D No	ility of Guilty	
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**GOLDENROD - Deputy Superintendent** 

## Case 3:15-cv-01282 RDM-CA Document 22 Filed 10/13/15 Page 20 of 44

FORM <b>DC-141</b> Rev 8/05	PART 1				OF PENNS		D 73	0050	
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Case 3:15-cv-01282-RDM-CA Document 22 Filed 10/19/15 Page 21 of 44

Misconduct Hearing Appeal  DEPARTMENT OF CORRECTIONS  No. From Par Name  Facility  I was found guilty of misconduct number 22 3 6 845 - on 9-30-14  (date)  by the Hearing Examiner, and I wish to appeal that decision on the following grounds:  Check Area(s) Involved  OCT 10 838  Oct	DC-141, Part 2 E COMMONWEALTH OF PENNSYLVANIA
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Yellow-Inmate

Revised 2/01

# **Exhibit C**

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DC-804 Part 1 Rev 9/2010

# COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS P.O. BOX 598 CAMP HILL, PA 17001-0598

į	FOR OFFICIAL USE
	5336 <i>a0</i>
	GRIEVANCE NUMBER

**OFFICIAL INMATE GRIEVANCE** 

TO: FACILITY GRIEVANCE COORDINATOR	FACILITY: DATE:
FROM: (INMATE NAME & NUMBER)	The same of the tent of tent of the tent o
KENDALL HUDSON HZZES	SIGNATURE OF INMATE:
WORK ASSIGNMENT:	HOUSING ASSIGNMENT:
	1)-BLAK A-7
INSTRUCTIONS:	
1. Refer to the DC-ADM 804 for procedures on the	inmate grievance system.
2. State your grievance in Block A in a brief and und	derstandable manner.
staff members you have contacted.	resolve this matter. Be sure to include the identity of
A. Provide a brief, clear statement of your grievance	e. Additional paner may be used, maximum two
pages (one DC-804 form and one one-sided 81/2"	'x11" page). State all relief that you are seeking.
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ignature of Facility Grievance Coordinator	Date
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DC-ADM 804, Inmate Grievance System Procedures Manual Section 1 – Grievances & Initial Review

Issued: 12/1/2010 Effective: 12/8/2010

### **INITIAL REVIEW RESPONSE**

SCI Camp Hill 2500 Lisburn Road Camp Hill, PA 17001

This serves to acknowledge receipt of your grievance to the assigned Grievance Officer. The response is as follows

•			
ilimate Name	Kendall Hudson	Inmate Number 4 HZ-2808	
a and Hive to A.	SCI-Camp Hill		
The second second	COl-Camp Fill	Unit Location and the	
.Grievance#	533620	Grievance Date 10-26-14	
<b>િ</b> ભાગામાં ભાગ	☐ Uphold Inmate		
	X Grievance Denied		
It is the decision	☐ Uphold in part/Denied in p	art	
arievance This	s response will include a briof rational	deny or uphold in part/deny in part the inmate's initial	
the issue(s) rai	ised in the grievance and, relief sough	le, summarize the conclusion, any action taken to resolve	<b>)</b>
Response			
in your grievan	ce, you allege that you are living in a	n unsafe living environment. Your toilet leaks sewage	
MATCH ALL DACK (	i ie noor and as a lesun, mom decav	ANG FUST AFE forming . When you use the state black at a	f
source ab trotti	noved to a cell with no problems.	tion of your 8th Amendment right. As relief, you are	
	noved to a cen with no problems.		
I have read you	r grievance and investigated your all	egations. D block is an aged housing unit that has noted	
Signification of the state of t	Silis. All active work order is in the si	VSIAM for volle call. Staff in the DULL de wet allete up.	
MOTRIOLOG TOT EL	ie iviali ilelialice Debartment and there	FIORE DAVE DO CONTROL OVER whom maintenance	
completed. Cellyour cell accord	ii cleariffig occurs every week on the i	housing unit and you are afforded the opportunity to clear	n
your cent accord	aingly.		
It is also noted t	that you have not expressed your cor	ncerns to PRC, myself, or the counselor about your cell	
condition.	,	soms to rive, myself, of the counselor about your cell	
Daniel			
Based upon the	above-mentioned information, your o	grievance and any relief sought are DENIED.	
Oi			
Signature:	J- 0-6		
Title:	Unit Manager		$\dashv$
Date:	11-19-14	· · · · · · · · · · · · · · · · · · ·	_
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**Facility Grievance Coordinator** CC: DC-15

File

DC-ADM 804, Inmate Grievance System Procedures Manual Section 1 - Grievances & Initial Review

Issued: 3/31/2014 Effective: 5/1/2014

# **Exhibit D**

Part 1	COMMONWEAL	TH OF PENNSYLVANIA	FOR OFFICIAL USE
ev 9/2010		OF CORRECTIONS	546972
		BOX 598	GRIEVANCE NUMBE
FFICIAL INMATE GRIEVANC	CAMP HIL	L; PA:17001-0598	
O: FACILITY GRIEVANCE CO	OPPINATOR	TA ON ITS	
		SCILAMP HILL	DATE: 12
ROM: (INMATE NAME & NUM Codall Hudson Hza		SIGNATURE OF INMA	TE:
ORK ASSIGNMENT:	<i>30</i> S	HOUSING ASSIGNME	<u>^)</u> NT:
ISTRUCTIONS:		10-Black	
Refer to the DC-ADM 804 for	procedures on the	Inmata griovanae evete-	
State your grievance in Block	A in a brief and in	dorstandable mana-	
List in Block B any action you staff members you have conta	may have taken		But the state of t
staff members you have conta	inglinas jakeli i	o lesoive this matter. Be sul	of to include the identity of
Provide a brief clear statemen	nt of your griouses	- A d d d d 1	
Provide a brief, clear statemen	one one sided 01	e. Additional paper may be	used, maximum two
pages (one DC-804 form and	one one-sided 8%	z" X 11" page). State all relie	f that you are seeking.
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ist actions taken and staff you	ad and will be pro	SAVET	and the court of the
r grievance has been receive	od and will be pro	cessed in accordance with	DC-ADM 804.  [./3,/5] Date
r grievance has been receive	od and will be pro	SAVET	DC-ADM 804.  [./3,/5] Date

Case 3:15-cv-01292-RDM-CA Document 22 Filed 10/29/15

DC-ADM 804, Inmate Grievance System Procedures Manual Section 1 - Grievances & Initial Review Issued: 12/1/2010

Effective: 12/8/2010

Attachment 1-A

#### **INITIAL REVIEW RESPONSE**

SCI Camp Hill 2500 Lisburn Rd. Camp Hill, PA 17001

This serves to acknowledge receipt of your grievance to the assigned Grievance Officer. The response is as follows.

imate Name: Hudson, Kendall	lumate/Number 444 HZ2808
cility: SCI Camp Hill	Unit Location (1986) D-B-54
nevance # 246972	Grievance Date 12-21-14

Decision Uphold Inmate

X Grievance Denied

It is the decision of this grievance officer to uphold or deny the inmate's initial grievance. This response will include a brief rationale, summarize the conclusion, any action taken to resolve the issue(s) raised in the grievance and, relief sought.

ECEDICA I

This grievance was assigned to me for response. I have reviewed the issue raised in this grievance. In the grievance you made the allegation that on 12-3-14 you were in the law library and CO1 Reeder made racist remarks to you, you then made the allegation that Lt. Davy threatened you by stating he was going to stomp you when they get past the cameras. You also make the allegation that you were denied lunch on 12-3-14 and that on 12-5-14 your breakfast tray was smashed and it had chewing tobacco in it. Lt. Davy and CO1 Reeder denied the allegations that a racist comment was made to you or that you were threatened. However CO1 Reeder did state that you were noncompliant with strip search procedures when you were in the law library. Lt. Davy stated the same and that he had to intervene to get you to comply. I also checked your 17x housing record and it is clearly annotated that you were disruptive and noncompliant with strip search procedures and that you received your lunch on 12-3-14. Meals delivered to the RHU from the kitchen are inspected by kitchen staff and RHU staff so I can assure you that meals are not tampered with nor damaged when delivered to inmates. In the grievance you seek help by immediate transfer. Due to the aforementioned reasons this grievance is denied.

Signature:	Lt. Kuzar		 
Title:	CO3	. *	
Date:	1-17-15		

oc: Superintendent

**Facility Grievance Coordinator** 

DC-15 File

DC-ADM 804, Inmate Grievance System Procedures Manual Section 1 – Grievances & Initial Review

Issued: 12/1/2010 Effective: 12/8/2010

Attachment 1-D

Exhibit E

DC-804 Part 1 Rev 9/2010

### COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS P.O. BOX 598 CAMP HILL, PA 17001-0598

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OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR	FACILITY:	DATE:
	SCI CAMPHILL	12-21-12
FROM: (INMATE NAME & NUMBER)	SIGNATURE OF INMATE	1 12-21-12
KENDALL HUDSON HZ 2308	Kendow Hustson	
WORK ASSIGNMENT:	HOUSING ASSIGNMENT	• 1
	10-Black B-5	
INSTRUCTIONS:		
1. Refer to the DC-ADM 804 for procedures on the in	nmate grievance system.	
2. State your grievance in Block A in a brief and und	erstandable manner.	
<ol><li>List in Block B any action you may have taken to a staff members you have contacted.</li></ol>	resolve this matter. Be sure t	to include the identity of
A. Provide a brief, clear statement of your grievance	Additional paper services	
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B. List actions taken and staff you have contacted, be	fore submitting this grievanc	e. J with the life
the lack and suit is distant		
Your grievance has been received and will be proce	essed in accordance with D	OC-ADM 804.
		2.76.14
Signature of Facility Grievance Coordinator	<del></del>	Date
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SOLDEN ROD Inmate Copy		•

DC-ADM 804, Inmate Grievance System Procedures Manual Section 1 – Grievances & Initial Review

Issued: 12/1/2010 Effective: 12/8/2010 Attachment 1-A

### 

### **INITIAL REVIEW RESPONSE**

SCI Camp Hill 2500 Lisburn Rd. Camp Hill, PA 17001

This serves to acknowledge receipt of your grievance to the assigned Grievance Officer. The response is as follows.

nmate Name AF F	ludson, Kendall	Inmate Number 1	Z2808
acility: S	CI Camp Hill	Unit Location	-B-2-54
rievance### 5	44814	Grievance Date	2-21-12
Frievance # 1 5	44814	Grievance Date: 44 1	2-21-12

Decision: Uphold Inmate

X Grievance Denied

It is the decision of this grievance officer to uphold or deny trie inmate's initial grievance. This response will include a brief rationale, summarize the conclusion, any action taken to resolve the issue(s) raised in the grievance and, relief sought.

Response

This grievance was assigned to me for response. I have reviewed the issue raised in this grievance. In the grievance you made the allegation that you were denied yard for 1 month straight and are seeking \$50,000 for pain and suffering. Although the grievance is dated 2012 and you were housed in general population on P block during the time frame, I reviewed your 17x housing report while you were being housed in the RHU during the 2014 calendar year. You received yard on 11-20-14, 11-21-14, 11-25-14, and 12-17-14. All other dates are annotated as refused and yard is not conducted on the weekend. In accordance with the RHU block rules, the Inmate is responsible for verbally addressing the Officer during morning mainline by stating "yard." Failure to do so will be noted as a refusal. It does appear that you understand the rules to receive yard due to your participation in yard during the time in which you alleged that you were denied the activity. Due to the aforementioned reasons this grievance is denied.

Signature:	Lt. Kuzar	•		•	:		
Title:	CO3				·	• .	
Date:	1/10/15				•		

CC:

Superintendent

**Facility Grievance Coordinator** 

DC-15 File

Effective: 12/8/2010

stem Procedures Manual

DC-ADM 804, Inmate Grievance System Procedures Manual Section 1 – Grievances & Initial Review Issued: 12/1/2010

Attachment 1-D

## Case 3:15-cv-012@acility WanagerunAppeal Response 9/15 Page 31 of 44 SCI Camp Hill

2500 Lisburn Road Camp Hill, PA 17001

This serves to acknowledge receipt of your grievance appeal to the Facility Manager for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy", the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to me and any other documents submitted.

Alomate Name	Kendall Hudson		#Inmate#N	Umber:	HZ-2808	
Facility	Camp Hill		Unicker		O Block	
Chievene Ch	544814				· ·	
Panior	X Uphold Respon ☐ Uphold Inmate ☐ Dismiss/Dismis	(UI) ss Untimely	□ Uphold in p			•
ın parvueny ın	on of this Facility Manage o part. This response will oe the issue(s) raised in the	include a brief rat	ionale. summarizir	na the conci	lusion, anv al	or Uphold ction
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not in yard on and staff are go As previously s record reflects	that the dates in the respondentally and physically. The standard physically and physically. The stated by the grievance of that you went to yard on to support your claim that	ne relief you seel 5.14 and 12.17.15 fficer, yard is not the dates listed a	is to have the car and you want to l conducted on wee bove and refused	meras check know why you kends and a yard the rer	ked to show ou were deni	you were ied yard our 17X
Therefore, I up	hold the initial response a	and your appeal a	nd any requested	relief is der	nied.	
	· · ·	÷				<u></u>
Signature:	Lauren			•		
Title:	Facility Manager					<del> </del>
Date:	3.24.15					
c: DC-15 File						

DC-ADM 804, Inmate Grievance System Procedures Manual Section 2 – Appeals

Issued: 3/31/2014 Effective: 5/1/2014 Attachment 2-B

Exhibit

### Case 3:15-cv-01/282-RDM-CA Document 22 Filed 10/19/15 Page 33 of 44 OMMONWEALTH OF PENNSYLVANIA **DEPARTMENT OF CORRECTIONS** 1920 TECHNOLOGY PARKWAY **GRIEVANCE NUMBER** MECHANICSBURG, PA 17050

OFFICIAL INMATE GRIEVANCE	the thic
TO: FACILITY GRIEVANCE COORDINATOR	FACILITY: DATE:
	SCI CAMPHILL 1/20/19
FROM: (INMATE NAME & NUMBER)	SIGNATURE OF INMATE.
Maria Maria Cara Comment	Minist hudson
WORK ASSIGNMENT:	HOUSING ASSIGNMENT:
<u> Participante de la companya de la</u>	10 610 K B 54
INSTRUCTIONS	The same appropriate with the same of the
1. Refer to the DC-ADM 804 for procedures on the i	
2. State your grievance in Block A in a brief and und	
3. List in Block B any action you may have taken to	resolve this matter. Be sure to include the identity of
staff members you have contacted.	
A. Provide a brief, clear statement of your grievance	
pages (one DC-804 form and one one-sided 81/2"	x 11" page). State all relief that you are seeking.
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Signature of Facility Grievance Coordinator

**CANARY File Copy** 

**PINK Action Return Copy** 

Date

WHITE Facility Grievance Coordinator Copy **GOLDEN ROD Inmate Copy** 

DC-804

Part 1

DC-ADM 804, Inmate Grievance System Procedures Manual Section 1 - Grievances & Initial Review

Attachment 1-A

### Case 3:15-cv-01282-RDM-CA Document 22 Filed 10/19/15 Page 34 of 44

### **INITIAL REVIEW RESPONSE**

SCI Camp Hill 2500 Lisburn Rd. Camp Hill, PA 17001

This serves to acknowledge receipt of your grievance to the assigned Grievance Officer. The response is as follows.

Inmate Name :	Hudson, Kendall		elnmate No	NOEE.	HZ2808
Facility: 18-18-00-2	SCI Camp Hill		Unit Locati	១គេ 💮	D-A1-27
Grievance;##	550534		Grievance	Pallet 3	1-20-14
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is the decision o	f this grievance officer to up	hold or deny the	inmate's initial	grievanco Ti	in roonanaa will

It is the decision of this grievance officer to uphold or deny the inmate's initial grievance. This response will include a brief rationale, summarize the conclusion, any action taken to resolve the issue(s) raised in the grievance and, relief sought.

Responses

This grievance was assigned to me for response. I have reviewed the issue raised in this grievance. In the grievance you made the allegation that you were denied yard by Officer Killeen on January 20th. You also alleged that Officer Killeen is playing with your food and denying you meals as well as destroying your magazines and legal documents. Although you dated the grievance 1-20-14 I reviewed your 17x for 2015. On 1-20-15 it was annotated that you did not go to yard due to excessive trash and contraband (magazines) in your cell. It specifically states in the RHU rules which you have been issued that beds must be made and overall cell appearance must be neat to receive yard. In this particular incident you had magazines that did not belong to you and excessive trash during the inspection which warrants your refusal for yard. I also reviewed your 17x for your alleged missed meals. You have received every meal since your entry into the RHU except 11/3/14 and 11/4/14. The meals missed on those dates was your choice when you were attempting to go on a hunger strike in protest for more heat in the RHU. In your grievance you request a transfer or a move to a safer environment. You are currently housed in the RHU due to disciplinary reasons and continue to incur more DC time due to your poor adjustment and failure to comply with institutional rules. You are single celled and when you request any type of activity you are escorted by 2 staff members to the activity in view of a camera. You are in the safest environment the DOC can offer you. Due to the aforementioned reasons, this grievance is denied.

Signature:	Lt. Kuzar	/	, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	•				÷			
Title:	CO3		<u> </u>			-	<del></del>	 		 	
Date:	2/28/15					•	•	· <u> </u>	 		

cc: Superintendent

**Facility Grievance Coordinator** 

DC-15 File

DC-ADM 804, Inmate Grievance System Procedures Manual Section 1 – Grievances & Initial Review

Issued: 12/1/2010 Effective: 12/8/2010 Attachment 1-D

12/15

## Facility Manager's Appeal Response SCI Camp Hill

2500 Lisburn Road Camp Hill, PA 17001

This serves to acknowledge receipt of your grievance appeal to the Facility Manager for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy", the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to me and any other documents submitted

		obposited, your appeal to me and any other documents submitted.
Innate Name	Kendall Hudson	Inmate: Number 18 HZ-2808
Amollity:	Camp Hill	Unit Focation and E Block
Gilakting 18	550534	
Response. I am in receipt or response. In your response so you 1.20.15 at approdocuments and word and wrote.	of your appeal and have reput appeal, you claim that u filed another appeal becommately 7:40, CO Killeer denied you meals and ya you up under misconducted another and he conducted another and he conducted another the same that was a second conducted another than the conducted another than that the conducted another than that the conducted another than the conducted anot	JI) Untimely to uphold the initial response, uphold the inmate, dismiss, or Uphold clude a brief rationale, summarizing the conclusion, any action grievance and your appeal and relief sought
I find that the Gr response. As pr made an overall 1.20.15 you did any proof to sup meals you have attempting to go ADM 801 for mis	rievance Officer properly in reviously stated by the Gri cell appearance must be not go to yard due to exce port a claim that legal door missed were on 11.3.14 a on a hunger strike. The is sconduct appeal procedure	nvestigated your grievance concerns and provided an appropriate levance Officer, the RHU rules specifically state that beds must be neat to receive yard and a review of your 17x reflects that on essive trash and contraband in your cell. You have not provided luments were thrown away. Your 17x also reflects that the only and 11.4.14 and this was your own choice because you were ssues regarding your misconduct will not be addressed. See DC-ess. You have not provided any proof to support your claims that nat staff are harassing you.
Therefore, Jupho	old the initial response and	d your appeal and any requested relief is denied.
Signature:	M. Zwingma	
litle:	Facility Manager	
Date:	4.20.15	
DC-15		

DC-ADM 804, Inmate Grievance System Procedures Manual Section 2 – Appeals

Issued: 3/31/2014 Effective: 5/1/2014 Exhibit 6

FORM <b>DC-141</b> Rev 8/05	PART 1				OF PENNSYL		B 74	2165	
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2	15.15	0800	•	¥ব c	LASS 1   CLAS	SS 2 //	West /	Todan	
You are scheduled to	er a hearing on the	allegation on the date a			INMATE	ible. You may a	main allent if you wie	h. Anything you	
say will be used again	nst you both at the	misconduct hearing an	d in a court of i	aw, if this	matter is referred for	criminal prosec	ution. If you choose	to remain silent, th	10
		your sherice as evidenc ict, any pre-release stati				PRINCE Y	~~ will be doved lin in	4000001115. II	you

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FORM DC	C-141 P/	ART 1					OF PENNSY					
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Hol		· · · · · ·	EEN	1.	ر الحرير	R	(2 )		DATE 2	1215	K DAG	<u>"  </u>
YOUR		MAY BE SO	HEDULED ANY TIME A	FTER	1	MISC	ONDUCT CATEG	iory	Signature of Person	Serving Noti	се	$\dashv$
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	<u>z.15.</u>	15	0800	<u> </u>		CE TO	INMATE	<del></del>	4 197 (	Zicaf	4	$\dashv$
You are sche	duled for a he	earing on the	allegation on the date and misconduct hearing and	time ind	Acated	OF 85 80	on thereafter as po	ssible. You med	remain/silent/if you wish	h. Anything you	U t the	
hearing comm	mittee/examin	ner may use	your silence as evidence a act, any pre-release status	ngainst y	you. If y	ou indi	cate that you wish t	to remain silent,	you will be asked no fu	rther questions	i. If y	DU
WHITE - D		YELLOW —		<del></del>				NROD — Depi	uty Superintendent F	acility Manar	geme	l int

DC-141	Part 2B	COMMO	NWEALTH O	F PENNSYL	/ANIA		<u> </u>
Rev. 6-84 DISCIPLINARY	/ HEARING REPOR	T DEPA	RTMENT OF	CORRECTION	IS		•
DC Number		Name	Facility	Hearin	g Date	Hearing Time	No. from Part 1
H72808	Hudson	1	SCIC	2-20	0-15	1220	B742167
INMATE PLEA	□ Guilty □ Not Guilty	□ No Plea □ Other		Verdict	☐ Guilty☐ Not G		
	#22		HEARING A	CTION			
CHARGES	#36			· · · · · · · · · · · · · · · · · · ·			
FINDINGS C	F FACT, VERDIC	T, AND SANCTIONS I	MPOSED				· · · · · · · · · · · · · · · · · · ·
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K-2	-HM S	tates it was	s tobac	20,			
ILEX	believes	: Officer K	illeen'	s repo	rt ove	r the in	nate's
***	3	inmate was		•	43		•
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•			G	uilty #	22 gc	days DC	
				#	36 30	days DC days DC	ce
		, , , , , , , , , , , , , , , , , , ,			90 d	ac TY 15	40
		<u> </u>			70 α	45 12 C3	142155
J YES [	NO The	inmate has heard the d	ecision and ha	s been told t	he reason fo	r it	
YES 🗆	and t	what will happen. circumstances of the ch				٠	•
YES 🗆	the ir	nmate.	•			SEE A	PPENDICES
	recor	opportunity to have the dwas given.					9
YES	revie	inmate has been advised w may be submitted a ons for the review.	that within 19 and that this re	5 days a requequest must	est for a forr contain spec	nal   ific	
NAME(S) O	F HEARING EXAI	MINER/COMMITTEE	Hearing F	Report and all	appended in	formation must be	signed, Signature
• •	(TYPED OR PR		indicates	finished repor	t with appen	dices.	J
			1	Very 18 ho	00.		·
1 /	William.	, ,•	SIGNATUR	F OF HEARING	EYAMINED/C	OORDINATOR	

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	DC-141, Part III COMMONWEALTH OF PENNSYLVANIA							
	Program Review Committee Action				Department of Corrections			
	☑ Misconduct		iodic Review	☐ Other	•			
	DC Number	Name		Facility	Date of Review	No from	DC 144 D 14	
	HZ2808	Hudson, Ke	endall	CAM	2/24/15		DC-141, Part 1 724167	
	Program Revi	ew Committee's [	Decision and	Rationale			724107	
	The above named inmate is appealing the decision of the Hearing Examiner on 2/20/15							
j	misconduct # B724167 on the following grounds:							
	A. The procedures employed were contrary to law, Department directives, or regulations							
İ	△b. The punishment is disproportionate to the offense							
1	C. The findings of fact were insufficient to support the decision							
_	PRC Decision:	-PRC-has-reviewer						
	PRC Decision: PRC has reviewed the misconduct, your appeal, and supporting documentation and has determined that:							
1	A. The procedures employed did/ did not violate law, Department directives, or regulations							
	There is no evidence of any action taken that was contrary to DOC policy or procedures.							
	B. The punishment is/is not proportionate to the offense							
.	The maximum sanction for a Class 1 misconduct is 90 days Disciplinary Custody per DC ADM 801. The sanction of 90 Days is well within established guidelines.							
1	of 90 Days is well within established guidelines.							
10	□ C. The findings of fact were/were not sufficient to support the decision							
i	he evidence re	elied upon was su	fficient to sur	poort the l	port the decision fearing Examiner's de	acicion of avilla		
	•	-		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	reguing Exeminises 2 Ci	ecision of gaits.		
   <sub>T</sub>	he aboue name	nal (managem	1 6.4					
The above named inmate was informed of the PRC's decision in writing.								
Decision Relative to PRC Review								
С	Continue 🗆	Move to AC ☐ I			e Cell Restriction	Continue Invest	tigation	
					Diag. Center 🗆 Rel			
		De	cision Relativ	ve to Heari	ng Framiner's Verdict	ease Sent. Com	piete	
	Decision Relative to Hearing Examiner's Verdict  Reject Uphold Uphold-Modify Remand back Vacate-permit Recharge Dismiss							
	Names of Prog	gram Review Comm	ittee Member:		Signatures	rectiange	Date	
Kathleen Zwierzyna, DSCS				Information for		2/24/15		
James Meintel, DSFM				10	Militat	2/24/15		
Da	vid G. Radziew	icz, CCPM		17	March		2/24/15	
VΗ	TE - DC-15	YELLOW -		PIN	K-STARF MEMPE	REPORTING		
	GOLDENROD - DSFM  YELLOW - INMATE PINK - STARF MEMBER REPORTING MISCONDUCT							

DC-ADM 802, Administrative Custody Procedures Manual Section 4 – Release from Administrative Custody Status Issued: 11/13/2012 Effective: 11/20/2012

DC 141 Port 3 E COMMONIMENT LI OF DENINOVA VANIA						
DC-141, Part 2 E COMMONWEALTH OF PENNSYLVANIA  Misconduct Hearing Appeal DEPARTMENT OF CORRECTIONS						
DO N						
HZ2808 Kendall HUGSON Facility No. From Part 1						
122 026 0 26						
I was found guilty of misconduct number $A22 B36$ - on $2-20-15$						
by the Hearing Examiner, and I wish to appeal that decision on the following grounds:						
by the floating Examiner, and I wish to appear that decision on the following grounds.						
Check Area(s) involved						
a. the procedures employed were contrary to law, Department directives, or regulations;						
b. the punishment is disproportionate to the offense, and/or						
c. the findings of fact were insufficient to support the decision.						
c. the infolligs of fact were insufficient to support the decision.						
Below is a brief statement of the facts relevant to my claims(s). It includes the identity of all						
persons who may have information that may be helpful in resolving this matter.						
The finding in facts were insufficents because there were						
Know legitionage evidence I seen the test results in the hearing						
and that wasn't test results. It was a black in white picture						
of a test tube If the NIK test is base on color-test how you						
find me quilty of southing from black and white photos.						
The NIK test do not test for K2 Me and everybody eler 10						
that, it por get that picture in color you would see that						
the accusations made against me were false. The co						
that whole me up only did it because it the past						
Griverces I write on him if you importagate this situation						
pu would find out it just retalliation from past						
Grievences, Therefore the ococedures were contrary to law.						
De continent directives, orregulations;						
E GLI TMOOF CICLETIVES, OILL GUI (ATTURE)						
Kendset Khurum 2/23/15						
Inmate's Signature Date						

White - DC-15

Yellow- Inmate

Revised 2/01

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## INTHEUNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KENDALL Hudson Plaintiff

Civil No. 3:15-CV-1282

(JUDGE MARIANI)

٧.

CARBERRY, et al., Defendants

## PROOF OF SERVICE

Hendall Hudson declares under Penalty of Persury Russuant to 28 U.S.CS 1746 that he mailed a copy of the enclosed PROPOSED AMENDED COMPLAINT to defendant Counsel. Keli M. Neary, Deputy Attorney General: Office of Attorney General Litisation Section: 15th FL., Strawberry Savare, Harrisburg, PA 17120, by Placing them in an envelope and Placing the envelope in the Mail Rick UP line in the AHU a Camphill Correctional Facility, PD. Box 200, Camphill, PA. 17001-0200, On

Kendall Thidson
Hendall Hudson
HZ2808
P.O.BOX200
CampHill PA 17001-0200

Date: 10-11-15

